

Appl. No. 09/965,531
Response Dated February 28, 2006
Reply to Office Action of November 28, 2005

Amendments to the Drawings:

The attached sheet of drawings includes changes to FIG. 3. This sheet replaces the original sheet including FIG. 3.

Attachment: Replacement Sheet

Appl. No. 09/965,531
Response Dated February 28, 2006
Reply to Office Action of November 28, 2005

REMARKS

I. Status of the Claims

Claims 1-20 are currently pending in this application. Of these, claims 1, 5, 8, 15, and 18 are independent. Claims 1, 8, 11, 15, and 18 have been amended. Applicant believes no new matter has been added by these changes. Favorable reconsideration and allowance of the claims are respectfully requested.

II. Objections to the Drawings

Figure 3 has been objected to for using the reference number "365" twice. This drawing has been amended by replacing one instance of "365" with --366--. Also, corresponding changes have been made to the Specification. Accordingly, Applicants request that this objection be withdrawn.

III. Objections to the Claims

Claim 19 is objected to for minor informalities. This claim has been amended in accordance with the Examiner's suggestion. Therefore, withdrawal of this objection is respectfully requested.

IV. Rejections under 35 U.S.C. §§ 102 and 103

Claims 1-13 and 15-20 are rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by U.S. Patent Application Publication No. 2002/0124252 to Schaefer et al. ("Schaefer"). Also, dependent claim 14 is rejected under 35 U.S.C. § 103(a) as being

Appl. No. 09/965,531
Response Dated February 28, 2006
Reply to Office Action of November 28, 2005

allegedly unpatentable over Schaefer (as applied to independent claim 8) in view of U.S. Patent Application Publication No. 2004/0117831 to Ellis et al. ("Ellis"). Applicant respectfully requests reconsideration for at least the following reasons.

As a result of the above amendment, each of independent claims 1, 5, 8, 15, and 18 recites features involving a notification preference of a user. For instance, claim 1 recites "enabling notification of the user by transmitting a notification request to a notification system in accordance with the notification preference of the user." Applicant asserts that such features are neither taught nor suggested by Schaeffer and Ellis.

Independent claim 5, as originally presented, recites such a feature. However, this feature is not addressed by the Examiner in the Office Action. Nevertheless, Schaeffer fails to disclose or suggest such features. Although Schaeffer appears to disclose information alert being sent to different types of devices at paragraphs [0016-0019] and [0032], Schaeffer is silent with respect to any type of notification preference. Moreover, Ellis fails to overcome the deficiencies of Schaeffer. For at least these reasons, Applicant respectfully requests that the outstanding rejections under 35 U.S.C. §§ 102 and 103 be withdrawn.

Further, Applicants do not otherwise concede the correctness of the Office Action's rejection with respect to any of the claims. Accordingly, Applicants hereby reserve the right to make additional arguments as may be necessary to further distinguish the claims from the cited references, taken alone or in combination, and based on additional features contained in the claims that were not discussed above. A detailed

Appl. No. 09/965,531
Response Dated February 28, 2006
Reply to Office Action of November 28, 2005

discussion of these differences is believed to be unnecessary at this time in view of the basic differences in the independent claims pointed out above.

V. Conclusion

It is believed that claims 1-20 are in allowable form. Accordingly, a timely Notice of Allowance to this effect is earnestly solicited.

The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present patent application.

Respectfully submitted,

KACVINSKY LLC



John A. Harroun, Reg. No. 46,339
Under 37 CFR 1.34

Dated: February 28, 2006

4500 Brooktree Road, Suite 102
Wexford, PA 15090
(724) 933-5529

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300 on February 28, 2006.


Deborah L. Wigham

2/28/06
Date